

R E M A R K S

Restriction was required under 35 USC 121 as follows:

Group I. Claims 1-4, 8-10, 13-17, 23-34 and 54, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 37/38;

Group II. Claims 1, 5-8, 11, 12, 18-34 and 55, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 41/42;

Group III. Claims 35-37, drawn to polypeptides relating to SEQ ID NO: 38;

Group IV. Claims 35, 38 and 39, drawn to polypeptides relating to SEQ ID NO: 42;

Group V: Claims 40-43 and 45, drawn to methods of producing ML-236B or Pravastatin using SEQ ID NO: 37;

Group VI: Claims 40-43 and 45, drawn to methods of producing ML-236B or Pravastatin using SEQ ID NO: 41;

Group VII: Claim 44, drawn to the ML-236B compound;

Group VIII: Claim 46, drawn to antibodies to SEQ ID NO: 38;

Group IX: Claim 46, drawn to antibodies to SEQ ID NO: 42;

Group X: Claims 47-51, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 43/44;

Group XI: Claims 47-51, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 45/46;

Group XII: Claims 47-51, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 47/48;

Group XIII: Claims 47-51, drawn to polynucleotides, vectors and host cells relating to SEQ ID NOs: 49/50;

Group XIV: Claim 52, drawn to polypeptides relating to SEQ ID NO: 44;

Group XV: Claim 52, drawn to polypeptides relating to SEQ ID NO: 46;

Group XVI: Claim 52, drawn to polypeptides relating to SEQ ID NO: 48;

Group XVII: Claim 52, drawn to polypeptides relating to SEQ ID NO: 50;

Group XVIII. Claim 53, drawn to methods of producing ML-236B using SEQ ID NOs: 43/44;

Group XIX: Claim 53, drawn to methods of producing ML-236B using SEQ ID NOs: 45/46;

Group XX: Claim 53, drawn to methods of producing ML-236B using SEQ ID NOs: 47/48; and

Group XXI: Claim 53, drawn to methods of producing ML-236B using SEQ ID NOs: 49/50.

Applicants elect Group VI (claims 40 to 43 and 45) drawn to methods of producing ML-236B or Pravastatin using SEQ ID NO: 41.

Reconsideration and modification of the Restriction Requirement (37 CFR 1.143) are respectfully requested for the following reasons.

Groups I to III, V to VII and X to XXI were all classified in Class 435 in the Office Action.

Groups IV, VII and IX were all classified in Class 530 in the Office Action.

Accordingly, it is respectfully requested that the 21 Groups be reduced to two Groups, namely one Group directed to the 18 Groups (I to III, V to VII and X to XXI) classified in Class 435 and a second Group directed to the 3 Groups (IV, VIII and IX) classified in Class 530.

If the above request that the present 21 Groups be reduced to the above-identified two Groups is not accepted, then it is requested that the present Restriction Requirement be modified to no more than four Groups, as follows.

Group A: Groups I, II and X to XIII (which the Office Action referred to as the "DNA Groups") that were identically classified in Class 435, Subclass 252.3 in the Office Action;

Group B: Groups V to VII and XVII to XXI that were identically classified in Class 435, Subclass 156 in the Office Action (which include Groups V, VI and XVIII to XXI which the Office Action referred to as the "Method Groups");

Group C: Groups VIII and IX (which the Office Action referred to as the "Antibody Groups") that were identically classified in Class 530, Subclass 387.1 in the Office Action.

Group D: Groups III, IV and XIV to XVII (which the Office Action referred to as the "Polypeptide Groups") which include Groups XIV and XV that were identically classified in Class 435,

Subclass 183 in the Office Action and also include Groups XVI and XVII that were identically classified in Class 435, Subclass 190 in the Office Action.

Modification of the Restriction Requirement is also respectfully requested because several Groups as indicated hereinabove are directed to the same claim or claims (see MPEP 803.02 entitled "Restriction-Markush Claims").

Groups V and VI: claims 40-43 and 45

Groups VIII and IX: claim 46

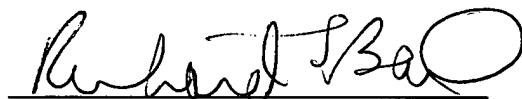
Groups X to XIII: claims 47-51

Groups XIV to XVII: claim 52

Groups XVIII to XXI: claim 53.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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